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April 19, 2023

VIA ECF

The Honorable Judge Lorna G. Schofield
United States District Court
Southern District of New York
40 Foley Square, Room 1106
New York, NY 10007

Application **GRANTED**. Defendant shall answer or otherwise respond to the Complaint by **May 25, 2023**. The initial pretrial conference scheduled for May 24, 2023, is adjourned to **June 21, 2023, at 4:00 P.M.** At that time, the parties shall call 888-363-4749 and use the access code 558-3333. The deadline for the parties to file the joint letter and proposed civil case management plan and scheduling order is extended to **June 14, 2023, at 12:00 P.M.**

The Clerk of Court is respectfully directed to close the motion at Dkt. No. 10.

Dated: April 20, 2023
New York, New York

A handwritten signature in black ink, appearing to read "L. G. Schofield".

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Re: ***Chapman et al. v. City Winery NY-Pier 57, LLC***
Case No. 1:23-cv-02778(LGS)

Dear Judge Schofield:

We represent defendant City Winery NY-Pier 57, LLC ("Defendant") in the above-captioned matter. We write to respectfully request that the Court adjourn the telephonic Initial Pretrial Conference scheduled for May 24, 2023 and set a May 25, 2023 deadline for Defendant's response to the Complaint

We are requesting an adjournment of the Initial Pretrial Conference because the undersigned is expecting the birth of his child on May 8, 2023 and will therefore be unavailable during the weeks subsequent to May 8, 2023. The parties respectfully propose June 19, June 20, June 21, June 26, and June 27, 2023 as alternative dates for the conference, subject to the Court's availability. Consistent with this request, we ask that the Civil Case Management Plan and Joint Letter be due seven (7) days prior to the newly scheduled Initial Pretrial Conference.

Further, Defendant respectfully requests that Court set the deadline for Defendant to respond to the Complaint to May 25, 2023. There is currently no deadline to respond to the Complaint because Defendant has not been served with the Summons or Complaint as of the date this letter.¹

¹ The undersigned has agreed to accept service of the Summons and Complaint on behalf of Defendant on condition that Defendant be allowed until May 25, 2023 to respond to the Complaint.

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This is Defendant's first request for an adjournment of the Initial Pretrial Conference and for a deadline to respond to the Complaint. Plaintiff's counsel consents to both of these requests. No other deadlines will be affected by these requests.

Thank you for your time and consideration.

Respectfully Submitted,

/s/ Paul J. Rutigliano

Paul J. Rutigliano

Partner

cc:

Plaintiff's attorney (via ECF)